

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LARRY SILSBY, #156315,

Petitioner,

v.

CASE NO. 2:12-CV-13380
HONORABLE GEORGE CARAM STEEH

BONITA HOFFNER,

Respondent.

/

ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION

This matter is before the Court on Petitioner's motion for reconsideration regarding the Court's dismissal of his petition for a writ of habeas corpus for lack of jurisdiction. The Court dismissed the petition due to the fact that Petitioner was discharged from the 1981 Oakland County Circuit Court conspiracy to commit second-degree murder conviction and sentence challenged in the petition in 1998.

Having reviewed Petitioner's motion, the Court finds no reason to reconsider its dismissal decision. A motion for reconsideration which presents issues already ruled upon by the Court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). The Court did not rule that the case had become moot, but rather properly dismissed the habeas petition for lack of subject matter jurisdiction. Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(h)(3).

Accordingly, the Court **DENIES** Petitioner's motion for reconsideration. This case is closed.

No further pleadings should be filed in this matter.

IT IS SO ORDERED.

Dated: September 11, 2012

s/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

A copy of this Order was served upon Larry Silsby #156315,
Lakeland Correctional Facility, 141 First Street, Coldwater, MI
49036, on September 11, 2012, by ordinary mail.

s/Barbara Radke
Deputy Clerk